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10/035,359	10/26/2001	Douglas Todd Hayden	10011040-1	2305

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT	PAPER NUMBER
	2143

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/035,359	HAYDEN, DOUGLAS TODD
	Examiner	Art Unit
	George C. Neurauter, Jr.	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 October 2001.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08). Paper No(s)/Mail Date <u>06132003</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

Claims 1-20 are currently presented and have been examined.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 6-20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6 321 242 to Fogg et al.

Regarding claim 1, Fogg discloses a method for preserving hyperlinks, comprising:

registering a hyperlink stored on a first computer (referred to throughout the reference as "feeding site") with a second computer hosting a data file associated with said hyperlink ("receiving site"); (Figure 3A; column 4, lines 38-45; column 4, line 59-column 5, line 20) and

notifying said first computer of a change in said data file associated with said hyperlink ("document" associated with

hyperlink of "receiver URL" or "old URL"). (Figure 4; column 5, lines 20-47, specifically lines 22-30 and 43-47)

Regarding claim 2, Fogg discloses the method of claim 1, wherein registering a hyperlink stored on a first computer comprises:

identifying said data file associated with said hyperlink ("receiver URL") (column 5, line 59-column 6, line 20, specifically column 5, lines 3-9 and 11-13); and

identifying an e-mail address for notifying via e-mail changes to said data file. (column 6, lines 14-41, specifically 19-21)

Regarding claim 3, Fogg discloses the method of claim 2, further comprising saving said data file identification in a user database ("re-linker database"). (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15)

Regarding claim 6, Fogg discloses the method of claim 1, wherein notifying said first computer of a change in said data file associated with said hyperlink comprises e-mailing a notification of said data file change to said first computer. (column 4, lines 51-54; column 6, lines 14-41)

Regarding claim 7, Fogg discloses the method of claim 1, wherein notifying said first computer of a change in said data file associated with said hyperlink comprises notifying an

individual in charge of maintaining said hyperlink of said change in said data file. (column 4, lines 51-54; column 6, lines 14-41)

Regarding claim 8, Fogg discloses a method for preserving Internet or intranet communications, comprising:

storing a hyperlink for linking to at least one data file stored on a host computer; registering said hyperlink with said host computer; (Figure 3A; column 4, lines 38-45; column 4, line 59-column 5, line 20) and

notifying a party responsible for maintenance of said hyperlink of any changes in said at least one data file that affect the integrity of said hyperlink. (column 4, lines 51-54; column 5, lines 20-47, specifically lines 22-30 and 43-47; column 6, lines 14-41)

Regarding claim 9, Fogg discloses the method of claim 8, further comprising, storing a set of registration data in a user database ("re-linker database"); (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15).

Regarding claim 10, Fogg discloses the method of claim 9, wherein storing a set of registration data in a user database comprises storing a set of registration data in a user database accessible to said host computer ("re-linker database"). (column

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5, line 59-column 6, line 20, specifically column 5, lines 14-15)

Regarding claim 11, Fogg discloses the method of claim 9, wherein storing a set of registration data in a user database comprises storing a set of registration data selected from the group consisting of uniform resource locators, e-mail addresses, hyperlinks, and data file names. (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15)

Regarding claim 12, Fogg discloses the method of claim 8, wherein said storing a hyperlink comprises, storing a hyperlink on a first computer. (column 4, line 29-31)

Regarding claim 13, Fogg discloses the method of claim 8, wherein registering said hyperlink with said host computer comprises initiating said registration by said host computer. (column 4, lines 38-45)

Regarding claim 14, Fogg discloses the method of claim 8, wherein registering said hyperlink with said host computer comprises:

retrieving a uniform resource locator associated with a computer storing said hyperlink; (column 4, line 59-column 5, line 20, specifically column 5, lines 9-11)

identifying a file name ("document name") of said at least one data file stored on said host computer associated with said

hyperlink; (column 4, line 59-column 5, line 20, specifically column 5, lines 3-11) and

storing said uniform resource locator and said identified file name in a user database. (column 4, line 59-column 5, line 20, specifically column 5, lines 14-15)

Regarding claim 15, Fogg discloses the method of claim 8, wherein said notifying a party responsible for maintenance of said hyperlink of any changes in said at least one data file that affect the integrity of said hyperlink comprises e-mailing a notification to said party responsible for maintenance of said hyperlink. (column 4, lines 51-54; column 6, lines 14-41)

Regarding claim 16, Fogg discloses a registration and notification system for preserving the integrity of hyperlinks, comprising:

a host server; ("receiving site")

at least one data file accessible to said host server; ("document")

at least one remote server; ("feeding site")

at least one hyperlink stored on said at least one remote server, said at least one hyperlink associated with said at least one data file (column 4, line 29-31); and

a user database stored on said host server for identifying said at least one hyperlink associated with said at least one

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data file ("re-linker database"; column 5, line 59-column 6, line 20, specifically column 5, lines 3-9 and 11-13)

Regarding claim 17, Fogg discloses the system of claim 16, wherein said host server comprises:

at least one central processing unit ("CPU"); at least one input device; at least one output device ("display"); at least one communications port; at least one storage media for storing data ("disk drive"); (column 3, line 45-column 4, line 7) and a URL address associated with said host server. ("receiver URL") (column 5, line 59-column 6, line 20, specifically column 5, lines 3-9 and 11-13)

Regarding claim 18, Fogg discloses the system of claim 17, wherein said user database stored on said host server is stored on said at least one storage media. (column 4, lines 33-35)

Regarding claim 19, Fogg discloses the system of claim 16, wherein said remote server comprises:

at least one central processing unit ("CPU"); at least one input device; at least one output device ("display"); at least one communications port; at least one storage media for storing data ("disk drive"); (column 3, line 45-column 4, line 7) and a URL address associated with said host server. ("referrer URL") (column 4, line 67-column 5, line 11)

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Regarding claim 20, Fogg discloses the system of claim 16, wherein said user database stored on said host server comprises data selected from the group consisting of uniform resource locators, email addresses, hyperlinks, and data file names. (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fogg et al.

Regarding claim 4, Fogg discloses the method of claim 2.

Fogg does not expressly disclose further comprising saving said e-mail address identification in a user database, however, Fogg does disclose wherein the email address is saved in a user database on the first computer ("webmaster information file") and the second computer retrieves the email address (column 6, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fogg since Fogg suggests that a user database may contain other information (column 5, lines 15-20). In view of these suggestions and teachings shown above in Fogg, one of ordinary skill would have been found it obvious to modify the reference so that an email address could be saved in a user database.

Regarding claim 5, Fogg discloses the method of claim 2, further comprising:

saving said data file identification in a user database accessible to said second computer ("re-linker database"). (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15). \*

Fogg does not disclose saving said e-mail address identification in a user database accessible to said second computer and creating a relationship between said saved data file identification and said saved e-mail address identification for facilitating said notifying of said first computer of a change in said data file, however, Fogg does disclose wherein the email address is saved in a user database on the first computer ("webmaster information file") and the second computer retrieves the email address (column 6, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fogg since Fogg suggests that a user database saved on the second computer may contain other information useful for creating relationships between data (column 5, lines 15-20). In view of these suggestions and teachings shown above in Fogg, one of ordinary skill would have been found it obvious to modify the reference so that an email address could be saved in a user database accessible to the second computer.

#### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following prior teaches systems and methods of preserving hyperlinks similar to those claimed:

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US Patent 6 578 078 to Smith et al;

US Patent 6 601 066 to Davis-Hall et al;

US Patent 6 772 139 to Smith, III.

The following prior art generally teaches the state of the art in preserving hyperlinks and associated systems and methods:

US Patent 5 571 956 to Kirsch;

US Patent 5 978 842 to Noble et al;

US Patent 5 995 099 to Horstmann;

US Patent 6 253 204 to Glass et al;

US Patent 6 449 615 to Liu et al;

US Patent 6 606 653 to Ackermann, Jr. et al;

US Patent 6 785 864 to Te et al;

US Patent Application Publication 2001/0044825 to Barritz.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571) 272-3918. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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